



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Dept of Labor and Industries

☒ **Permanent Rule**
☐ **Emergency Rule**

Effective date of rule:

Permanent Rules

- ☐ 31 days after filing.
☒ Other (specify) July 7, 2006 and January 1, 2007 See attachment 1 and 2 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- ☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: This rulemaking order will adopt changes to Chapter 296-17 WAC General Reporting Rules, Classifications, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance. The changes clarify definitions and rules. The order will create new classifications for health care workers, for clerical and administrative state government employees, and for construction company estimators. It creates new sub classifications for the metal goods industry and construction debris hauling. Five classifications are being repealed concerning metal goods and door to door sales. Minor amendments and housekeeping changes are being made to 37 classifications and subclassifications. See Attachment 1

Citation of existing rules affected by this order:

Repealed: See attachment 2
Amended: See attachment 2
Suspended: None

Statutory authority for adoption: RCW 51.16.035, RCW 51.16.100

Other authority : None

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 06-08-086 on April 4, 2006 (date).

Describe any changes other than editing from proposed to adopted version: (1) Classification 3402-88 changed to 3402-84 in WAC 296-17-580. (2) The changes in Classification 6303-21 in WAC 296-17-698 were pulled from this rulemaking and will be amended at another time.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: N/A

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: June 6, 2006

NAME (TYPE OR PRINT)

Gary K. Weeks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

WSR# 06-12-075

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	<u>1</u>	Amended	<u>3</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

New	<u>2</u>	Amended	<u>2</u>	Repealed	<u>5</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>0</u>	Amended	<u>32</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Attachment 1

CR 103 Proposed Rule Making
Chapter 296-17 WAC General Reporting Rules, Classifications, Audit and
Recordkeeping, Rates and Rating System for Washington Workers'
Compensation Insurance

**NEW CLASSIFICATIONS CREATED TO BECOME EFFECTIVE
JANUARY 1, 2007:**

WAC 296-17-65802	Create new classification for construction estimators
WAC 296-17-67603	Create new class for administrative state government employees
WAC 296-17-72203	Create new classification for chore services reported by HCQA

Attachment 2

CR 103 Proposed Rule Making Chapter 296-17 WAC General Reporting Rules, Classifications, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance

Amended Sections:

Effective July 7, 2006:

WAC 296-17-517	Removes word "decorative"
WAC 296-17-521	Clarifies wording regarding contractors at oil refineries
WAC 296-17-536	Describes mobile food vendors
WAC 296-17-618	Clarifies description of street vendors
WAC 296-17-622	Corrects 4101 to 4103
WAC 296-17-649	Removes sub for mechanical harvesting of shellfish
WAC 296-17-64904	Removes reference to 4808
WAC 296-17-66003	Adds references to 0101.
WAC 296-17-677	Add business types to this classification
WAC 296-17-680	Adds schools for deaf and blind
WAC 296-17-681	Adds schools for deaf and blind
WAC 296-17-694	Reword definition of shows, strikes two sub codes
WAC 296-17-701	Add special note for clerical and sales
WAC 296-17-712	Clarify sales definition
WAC 296-17-713	Clarify sales definition
WAC 296-17-715	Remove reference to mortgage brokers
WAC 296-17-738	Correct word "martial"
WAC 296-17-777	Remove note about assignments

Effective January 1, 2007:

WAC 296-17-31013	Creates exception rule for construction estimators
WAC 296-17-31018	Clarifies construction debris hauling
WAC 296-17-513	Changes 3404 to 3402
WAC 296-17-516	Removes sub code for building decorating
WAC 296-17-557	Changes 5209 to 3402
WAC 296-17-568	Changes 3404 to 3402
WAC 296-17-57001	Changes 3404 to 3402
WAC 296-17-580	Rewords metal goods description
WAC 296-17-594	Changes 3404 to 3402
WAC 296-17-595	Changes 3404 to 3402

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WAC 296-17-634	Creates sub for construction debris hauling
WAC 296-17-651	Clarifies administrative duties of state government employees
WAC 296-17-670	Changes 3404 to 3402
WAC 296-17-67901	Clarifies job duties of blue collar state government employees
WAC 296-17-704	Add door to door sales to vacuum and sewing machine stores
WAC 296-17-72202	Strike chore services reported by HCQA
WAC 296-17-724	Add building decorating
WAC 296-17-739	Change 3404 to 3402
WAC 296-17-763	Clarify description of duties of health care state government employees

Repealed Sections:

Proposal repeals the following classifications effective January 1, 2007:

WAC 296-17-582	Repeal classification 3404 for metal goods
WAC 296-17-669	Repeal classification 5109 for metal goods
WAC 296-17-67601	Repeal classification 5208 for metal goods
WAC 296-17-67602	Repeal classification 5209 for metal goods
WAC 296-17-697	Repeal classification 6302 for door to door sales personnel